



PLANNED DISTRICTS

Preliminary and Precise

Purpose: The purposes of the Planned District zoning process are to allow flexibility in the planning of superior developments of all types; for a mixture of land uses, such as residential and commercial in a single integrated development; an increase in density for superior residential developments; variety in lot sizes or setbacks; and/or nonconventional residential unit types.

Code/Policy Reference: Fremont Municipal Code Title 8, Chapter 2, Article 18.1 (P Planned District); Development Policy for Planned Districts.

I understand that my plan review may be delayed if required materials are missing from the submittal package.

Project Applicant

Date

Submittal Requirements:

NOTE:

- Indicates an item which is always required.
- ☐ Indicates an item which may be required, depending on the project. The staff person who provides you this sheet will check (✓) the box if the item is required for your application.

- ☐ 1. **Preliminary Planned District:** The Zoning Ordinance provides a developer may apply for preliminary site plan approval prior to preparing detailed architectural and improvement plans. Preliminary site plan approval includes approval in principle by the City Council of the land uses, densities, general building configuration, circulation pattern and construction phasing. It should not be construed to endorse the precise location of uses, configuration of parcels or engineering feasibility, nor as a commitment by the City to adopt any subsequent precise planned district proposal.

When a preliminary planned district proposal is filed separately from a precise planned district, the following information must be submitted:

■ a. A completed application form including:

Part I: Project information and the current property owner(s) signature authorizing the project proposal.

Part II Reimbursement Agreement with signature of the billing party acknowledging responsibility for charges.

Part III: A list of all consultants proposed to be involved with the project, or a statement that none are proposed to be involved.

Part IV: A statement signed by the applicant indicating whether the project site is found on the Hazardous Waste and Substances Sites List pursuant to California Government Code Section 65962.5.

Part V: Affordable Housing Plan Proposal for all residential projects resulting in two or more net new units or lots.

Part VI: Development Statistics

■ b. Plans including the following items:

(1) Vicinity map showing a one-half mile radius of the site.

(2) Conceptual site plan.

(i) Juxtaposition of proposed land uses, residential densities and building intensities, delineating any proposed construction phasing.

(ii) Proposed system of public and/or private streets.

(iii) Pedestrian ways and recreation areas, existing and proposed.

(iv) Sites for public use, such as schools, playgrounds and other open spaces.

(v) Development Reserve Boundary, Toe-of-the-Hill and Ridgeline, where applicable.

☐ (vi). Tree Survey Plan showing the following:

(1) Existing and proposed site features, including but not limited to buildings, walls, paving, grading, etc.

(2) Tree(s) trunk six-inch DBH (trunk diameter at 4.5-feet above ground level) and larger located on plan by a licensed surveyor, and with accurate canopy outline.

(3) Trees labeled by number and tagged on-site per ISA standards.

(4) Summary table identifying botanical designation, DBH, and elevation of tree at ground level.

NOTE: Additional analysis by a certified arborist may be required pending review of tree survey and other required project plans. If no trees exist on site, provide a statement by the civil engineer or surveyor indicating this, as an alternative to the required tree survey.

(3) Fire hydrants within 300 feet of the project site.

(4) All land uses surrounding the project site.

(5) Statistics:

(i) Gross area of project site in acres or square feet.

(ii) Net areas for various land uses, residential densities and building intensities in acres or square feet.

(6) Two copies of a current preliminary title report for projects that involve construction of a new building or expansion of an existing building footprint and/or new site improvements such as landscaping, special paving, utilities and accessory structures.

■ c. The number of plans to be submitted with the application are:

(1) Ten (10) sets of full-sized plans, collated and folded to a size NO LARGER THAN 8" x 13".

(2) Eighteen (18) sets of the plans reduced to 11" x 17", collated and folded to 8 1/2" x 11".

Your project planner will request you submit the following materials 21 days before your public hearing or action date.

(3) Three (3) sets of full-sized plans.

(4) Twenty-four (24) sets of plans reduced to 11" x 17", collated and folded to 8 1/2" x 11".

(5) CD-ROM with all the required plans in PDF format.

Full-sized plans submitted should be no larger than 30" x 42".

- d. Twenty copies of a Planned District Justification Statement, describing:
 - (1) Why any exception from standard ordinance requirements is warranted by the design and amenities incorporated.
 - (2) Special project goals, such as dedication of open space, natural features or historic resources, or unique development or design concepts, if any.
 - (3) Why the planned development will have a beneficial effect which could not be achieved under other zoning districts.
 - (4) Why each phase of the development can exist as an independent unit.
- e. This project will be subject to the requirements of Article 21.7, Inclusionary Housing, of the Fremont Municipal Code. The Inclusionary Housing Ordinance generally requires that 15% of the units within your project be made affordable. Details and specifics of the ordinance requirements are available at the Development Services Center, Office of Housing and Redevelopment and on line at www.Fremont.gov. Your project proposal should include a brief written statement as to how you propose to comply with the provisions of the ordinance and identify the proposed location of affordable units within the project.
- f. One signed copy of each of the following forms:
 - (1) Letter of Consent to Development Studies, signed by every owner of property in the project area (Attachment "B").
 - (2) Letter of endorsement by Urban Planner for projects over 15 acres in area or involving a mix of land uses (Attachment "E").
- g. Twenty copies of the Summary Development Table (Attachment "A").
- h. Complete the Impervious Surface Area Calculation Sheet.
- i. Environmental Impact Assessment Questionnaire (Planning Form 16).
- 2. **Precise Planned District:** Precise site plan approval entitles a developer to proceed with site development, contingent on approval of any subdivision map(s) and other legally required procedures, and meeting any special conditions of approval adopted by the City Council. The precise site plan includes architectural details and project amenities as well

as public improvements. Approval of the precise site plan is accomplished by adoption of an ordinance rezoning the project site to “P”.

■ a. A completed application form including:

Part I: Project information and the current property owner(s) signature authorizing the project proposal.

Part II Reimbursement Agreement with signature of the billing party acknowledging responsibility for charges.

Part III: A list of all consultants proposed to be involved with the project, or a statement that none are proposed to be involved.

Part IV: A statement signed by the applicant indicating whether the project site is found on the Hazardous Waste and Substances Sites List pursuant to California Government Code Section 65962.5.

Part V: Development Statistics

■ b. Plans including the following items:

■ (1) Vicinity map showing a one-half mile radius of the site.

■ (2) Accurately dimensioned development plan showing:

(a) Property lines.

(b) Location, configuration and setbacks of all existing and proposed buildings and intended uses for the buildings and site, including occupancy classification and type of construction as defined in the Building Code.

(c) Sites for public uses, such as schools and playgrounds.

(d) Parking, vehicle circulation areas and driveways.

(e) Pedestrian ways and recreation areas, existing and proposed.

(f) Development Reserve Boundary, Toe-of-the-Hill and Ridgeline, where applicable.

(g) Fencing.

(h) Easements on the property.

- (i) All fire hydrants within 300 feet of the project site.
 - (j) All land uses surrounding the project site.
- (3) Landscape Concept Plans, new or modified, showing:
 - (a) Location, spacing, size, quantities, and botanical designations of all existing and proposed on-site, and required right-of-way trees.
 - (b) Shrub, groundcover, turf grass, and ornamental grass massing with botanical designations provided in list form and grouped by type, symbol, and water use.
 - (c) Concept sections and elevation drawings of all landscape architectural features such as walls, fences, lighting, paving types (and patterns), arbors, benches, fountains and other like features showing scale, form, materials, and colors.
 - (d) Existing trees proposed for preservation.
 - (e) Refer to the City's Landscape Development Requirements and Policies online at www.fremont.gov.
- (4) Elevations showing:
 - (a) Each side of all proposed buildings and/or existing buildings.
 - (b) Materials and colors to be used on each elevation.
- (5) Floor plans, indicating all intended uses of each area.
- (6) Tree Survey Plan showing the following:
 - (a) Existing and proposed site features, including but not limited to buildings, walls, paving, grading, etc.
 - (b) Tree(s) trunk six-inch DBH (trunk diameter at 4.5-feet above ground level) and larger located on plan by a licensed surveyor, and with accurate canopy outline.
 - (c) Trees labeled by number and tagged on-site per ISA standards.
 - (d) Summary table identifying botanical designation, DBH, and elevation of tree at ground level.

NOTE: Additional analysis by a certified arborist may be required pending review of tree survey and other required project plans. If no trees exist on site, provide a statement by the civil engineer or surveyor indicating this, as an alternative to the required tree survey.

- ☐ (7) Two copies of a current preliminary title report for projects that involve construction of a new building or expansion of an existing building footprint and/or new site improvements such as landscaping, special paving, utilities and accessory structures.

■ c. The number of plans to be submitted with the application are:

- (1) Nine (9) sets of full-sized plans, collated and folded to a size NO LARGER THAN 8" x 13".
- (2) Fifteen (15) sets of the plans reduced to 11" x 17", collated and folded to 8 1/2" x 11".

After initial review of your project has been completed, your project planner will request you submit the following materials 21 days before your public hearing or action date.

- (3) Three (3) sets of full-sized plans.
- (4) Twenty-two (22) sets of plans reduced to 11" x 17", collated and folded to 8 1/2" x 11".
- (5) One (1) set of full-sized reproducible vellums.

Full-sized plans submitted should be no larger than 30" x 42".

■ d. Twenty copies of the Summary Development Table (Attachment "A").

■ e. One signed copy of each of the following forms:

- (1) Letter of Consent to Development Studies, signed by every owner of property in the project (Attachment "B").
- (2) Letter of Consent to Planned District Zoning Regulations, signed by every owner of property in the project area (Attachment "C").
- ☐ (3) Letter of Endorsement by Professional Team (Attachment "D").
- ☐ (4) Letter of Endorsement by Urban Planner for projects over 15 acres in area or involving a mix of uses (Attachment "E").

- f. Twenty copies of a Planned District Justification Statement, describing:
 - (1) Why any exception from standard ordinance requirements is warranted by the design and amenities incorporated.
 - (2) Special project goals, such as dedication of open space, natural features or historic resources, or unique development or design concepts, if any.
 - (3) Why the planned development will have a beneficial effect which could not be achieved under other zoning districts.
 - (4) Why each phase of the development can exist as an independent unit.
- g. This project will be subject to the requirements of Article 21.7, Inclusionary Housing, of the Fremont Municipal Code. The Inclusionary Housing Ordinance generally requires that 15% of the units within your project be made affordable. Details and specifics of the ordinance requirements are available at the Development Services Center, Office of Housing and Redevelopment and on line at www.fremont.gov. Your project proposal should include a brief written statement as to how you propose to comply with the provisions of the ordinance and identify the proposed location of affordable units within the project.
- h. A material and color sample board with an overall size no larger than 11" x 17". The sample board shall include exterior finish material and colors for all visible surfaces including ground paving, walls, roofs, glazing systems, etc. The manufacturer's or supplier's names along with the color code and model numbers for each material or color shall be included on the material and color board. Any additional information needed to clearly identify the specific materials proposed to be used shall also be included. Both finish and color shall be labeled and keyed to the elevations.
- i. Two complete copies of the Impervious Surfaces Form (<http://fremont.gov/ISF>).
- j. Environmental Impact Assessment (EIA) Questionnaire.
- k. When a developer elects for his/her own benefit to proceed with preliminary and precise site plan approval simultaneously, he/she must submit a Letter of Consent to Combine Preliminary and Precise Plan Approval, signed by the applicant (Attachment "F").

Incomplete Applications: An application is considered to be incomplete if any of the items checked on this information sheet have not been included. Processing of the application will be delayed until the submittal is determined to be complete.

Hearing Notification: The City will notify all property owners, as well as business and residential tenants within the appropriate radius of your project site. Most projects require a 300-

foot radius, while some require 1,000-foot based on the sensitivity of the project and the level of community input anticipated or required.

As with all other costs, you will be billed for staff time to research, create and label the required postcards. If the public hearing is delayed for an extended period of time after notices for your project have been mailed, you will be charged the cost to re-mail postcards.

Schedule Time Line: An application will be assigned to a staff planner within a week of a submittal. A letter will be mailed to you identifying your project planner. During that time, the application will be routed to city staff and outside agencies for their review and comment(s). Approximately two weeks after a project submittal, the project will be reviewed by the City Technical Coordinating Committee (CTCC), for general ordinance and policy compliance. CTCC is made up of City staff, which determine whether application materials are complete and whether additional environmental studies are required.

An applicant meeting will be scheduled for approximately four weeks after the initial submittal. A letter will confirm the applicant meeting. The applicant and other project representatives should plan on attending this meeting. The meeting is with the project planner, who will discuss any issues identified by CTCC or outside agencies. The project planner will provide a letter identifying any issues with the project either at the meeting or within 30 days of the application submittal and will identify, if necessary additional material needed for the application.

Once the project planner deems an application complete, the application will be tentatively scheduled for a Planning Commission hearing date. The project planner will advise the applicant the necessary materials required for final submittal for the Planning Commission meeting. The final submittal is required 21 days before the hearing date to allow for review report preparation, and proper noticing. The applicant and other project representatives should plan on attending the Planning Commission hearing.

Appeals of Planning Commission Action: Appeals of Planning Commission action are considered by the City Council. Appeals to the City Council must be submitted in writing to the City Clerk within 10 calendar days of the Planning Commission action. Your appeal letter must be accompanied by a \$50 appeal fee and must set forth (a) the specific action appealed from, (b) the specific grounds of the appeal and (c) the relief or action sought from the City Council. For additional details regarding appeals to the City Council, contact the City Clerk's office, 3300 Capitol Avenue, Fremont, CA 94538, phone: (510) 284-4060.

Development Impact Fees:

Commercial and Industrial Buildings

Development impact fees may be assessed if your project involves new construction or additional floor area. If the project involves a change of use in a building, development impact fees may also be assessed. For example, a change from a warehouse to an industrial classification or a change from retail to an office would require Development Impact Fees be paid. A credit will be applied to the value of fees for the previous use category and a charge will be applied for the fees of the new use category. There are three categories of Development

Impact fees assessed for commercial and industrial buildings: Traffic, Capital Facilities and Fire Protection Fees.

Residential Developments

New residential dwellings (single family and multi-family projects) always trigger payment of Development Impact Fees. In addition to the fee categories assessed for commercial and industrial buildings, new residential construction also requires the payment of Park Facilities and Park Dedication In-Lieu fees.

For further information on Development Impact Fees, please refer to the Development Impact Fee schedule available in the Development Services Center or speak with a Development Services staff member.

Fees: The minimum deposit for your application for a planned district is \$_____ and is due at the time of submittal. The actual charge will be based on staff time required to process the application, including any appeal. Progress billings will be invoiced during the review of the project if charges exceed the minimum deposit. A refund will be invoiced at the completion of the project review if excess funds have been paid.

Requirements described on this sheet are subject to change. If you need additional information or clarification to prepare your submittal please contact the staff person who furnished you this sheet for further assistance.

Information sheet furnished by:_____ Phone: (510) 494-_____

for proposal:_____

_____ Date:_____

ATTACHMENT "A"

File: PLN_____

SUMMARY DEVELOPMENT TABLE

Project Name: _____ Related file numbers: _____ Land Use: _____ Location: _____ Developer: _____ Planner: _____ Engineer: _____ Architect: _____			
RESIDENTIAL			
Project Area: Gross area (including any area to be dedicated for public streets) _____ Acres Net (project area only, less area to be dedicated for public streets) _____ Acres			
Dwelling Units:	Number	Per Gross Area	Density Per Gross Area
Single Family Detached	_____	_____ du/ac	_____ du/ac
Single Family Attached	_____	_____ du/ac	_____ du/ac
Apartments (Rental)	_____	_____ du/ac	_____ du/ac
Condominium Units	_____	_____ du/ac	_____ du/ac
Below Market Rate Units	_____	_____ du/ac	_____ du/ac
Total	_____	_____ du/ac	_____ du/ac
Area Distribution:			
Building Coverage		_____ acres	_____ % net acres
Vehicle Parking and Circulation		_____ acres	_____ % net acres
Open Space (net site area minus building and vehicle areas)		_____ acres	_____ % net acres
Private Usable Open Space (screened patios, balconies and private yards)		_____ acres	_____ % net acres
Common Usable Open Space (with minimum dimension of 15'; less setback areas and areas between buildings and public streets)		_____ acres	_____ % net acres

File: PLN_____

Parking Spaces:	
Ratio (on-site parking spaces per unit)	_____ spaces per unit
Off –street Parking	_____ spaces per unit
Under building (not enclosed)	_____ spaces per unit
Carports	_____ spaces per unit
Garages	_____ spaces per unit
Open	_____ spaces per unit
Resident Parking	_____ spaces per unit
Guest Parking	_____ spaces per unit
Boat and Trailer Parking	_____ spaces per unit
On-street Parking	_____ spaces per unit
Unit Composition:	
Anticipated Price Range:	

NONRESIDENTIAL		
Project Area (defined above):		
Gross		_____ Acres
Net		_____ Acres
Area Distribution:		
Building Coverage	_____ Acres	_____ % net acres
Vehicle Parking and Circulation	_____ Acres	_____ % net acres
Open Space	_____ Acres	_____ % net acres
Statistics:		
Total Gross Floor for each use		_____ square feet
Number of Parking Spaces		_____ spaces

ATTACHMENT “B”

LETTER OF CONSENT TO PLANNED DISTRICT STUDIES

To: Community Development Director
City of Fremont
39550 Liberty Street
P. O. Box 5006
Fremont, CA 94537

I (We) hereby declare that I am (we are) the legal owner(s) of the property described:

[Legal or other adequate description of
property(ies) proposed for Planned District]

and that I (we) consent that detailed studies may be undertaken by the Planning staff and Planning Commission of the City of Fremont for the development of the above described property as a Planned District.

Signature Date

Print Name Date

Signature Date

Print Name Date

ATTACHMENT “C”

LETTER OF CONSENT TO PLANNED DISTRICT ZONING REGULATIONS

To: Community Development Director
City of Fremont
39550 Liberty Street
P. O. Box 5006
Fremont, CA 94537

I (We) hereby declare that I am (we are) the legal owner(s) of the property described:

[Legal or other adequate description of
property(ies) proposed for Planned District]

and that, at the time of adoption of the ordinance establishing a Planned District for this property, I (we) agree:

1. That I (we) shall be bound by the conditions and regulations proposed, and which will be effective, within the district; and
2. To record such written agreement with the County Recorder.

Signature Date

Print Name Date

Signature Date

Print Name Date

ATTACHMENT “D”

LETTER OF ENDORSEMENT BY PROFESSIONAL TEAM

To: Community Development Director
City of Fremont
39550 Liberty Street
P. O. Box 5006
Fremont, CA 94537

Enclosed is an application for approval of a Precise Planned District approval.

The application includes the following documents:

[Clearly identify by title, number
of pages and date of preparation.]

We hereby certify:

1. That we have prepared the documents cited above; and
2. That we endorse the application represented by them. It reflects, within our professional competencies and considered judgment, an optimum solution for development of the site.

Urban Planner

Date

Licensed Architect

Date

Licensed Land Surveyor

Date

Registered Civil Engineer

Date

Registered Landscape Architect
*Community Development Department
Planning Division
39550 Liberty Street, Fremont, CA 94538
510 494-4440 ph / www.fremont.gov*

Date

*PL7-0021/ jw
Rev. 11/11*

ATTACHMENT “E”

LETTER OF ENDORSEMENT BY URBAN PLANNER

To: Community Development Director
City of Fremont
39550 Liberty Street
P. O. Box 5006
Fremont, CA 94537

Enclosed is an application for approval of a Planned District .

The application includes the following documents:

[Clearly identify by title, number
of pages and date of preparation.]

I hereby certify:

1. That I am a qualified urban planner as defined below;
2. That I have prepared the documents cited above; and
3. That I endorse the application represented by these documents. It reflects, within my professional competency and considered judgment, an optimum solution for development of the site.

Signature of Urban Planner

“Qualified Urban Planner” is defined as a professional planner holding full membership in the American Planning Association, or a planner who can demonstrate and document his or her experience as a person responsible for a comprehensive urban general plan funded under Section 701 of the United States Housing Act of 1954, as amended.

ATTACHMENT “F”

LETTER OF CONSENT TO COMBINE PRELIMINARY AND PRECISE PLAN APPROVAL

To: Community Development Director
City of Fremont
39550 Liberty Street
P. O. Box 5006
Fremont, CA 94537

We hereby declare:

1. That I (we) have elected to combine the normal two-step (preliminary site plan and precise site plan) procedure for processing the enclosed Planned District proposal.
2. That I (we) understand and accept the financial risks associated with preparing detailed plans before consideration by the City Council of the basic concept of this development proposal.

Signature of Applicant

Date



Affordable Housing Plan Proposal

Applicability: Residential projects containing two or more net new living units or residential lots, or a combination of living units and residential lots, are required to provide the affordable housing per Fremont Municipal Code Title 8, Chapter 2, Article 21.7, Affordable Housing. Compliance with the affordable housing ordinance can be achieved through the basic requirement or, if approved, use of an alternative to the basic requirement. Below, identify how the residential project proposes to comply with the affordable housing ordinance by placing a “✓” in the appropriate section.

Basic Requirement: The affordable housing obligation is achieved differently for for-sale and rental residential projects, as described below:

_____ *For-sale projects:* For projects deemed complete by December 31, 2014, at least 15% of all living units in any for-sale residential project shall be made available at affordable cost to moderate income households. Effective January 1, 2015, the project’s affordable requirement increases to 20% of all living units. (FMC §8-22172(a)(1))

_____ *Rental projects:* Rental projects not receiving any City assistance comply with the affordable housing obligation through payment of the affordable housing impact fee. (FMC §8-22172(b)(1))

Alternatives to Basic Requirement: If one of the allowed alternatives to the basic requirement is proposed, identify the alternative below and describe how the project would comply with the specific FMC requirements for alternatives (FMC §§8-22177(a) through 8-22177(f)).

_____ *Provision of rental units:* Where ownership affordable units are required to comply with the basic requirement, the applicant may construct rental units affordable to moderate, low, and very low income households at rents prescribed in FMC §8-22177(a)(1). (FMC §8-22177(a))

_____ *Off-site construction:* The applicant may propose to construct affordable units on another site. (FMC §8-22177(b))

_____ *Property dedication:* The applicant may propose to dedicate, without cost to the City, property within or contiguous to the residential project sufficient to accommodate at least the required number of affordable units for the residential project. (FMC §8-22177(c))

_____ *Purchase of existing market-rate units:* The applicant may propose to purchase existing market-rate units not subject to any affordability covenants and convert them to affordable housing, or to purchase affordability covenants for existing market-rate units, to provide the required affordable housing. (FMC §8-22177(d))

_____ *Preservation of affordable units at risk of loss:* The applicant may propose to preserve existing affordable units at risk of loss to provide the required affordable housing. (FMC §8-22177(e))

_____ *In-lieu fee payment:* The applicant may pay a fee in-lieu of construction of affordable units on site. (FMC §8-22177(f))

